

PPM 584-1

INTERPRETING & OTHER ASSISTED COMMUNICATION SERVICES

CONTENTS:

584-1.01 Definitions (p.2)

GENERAL REQUIREMENTS

584-1.02 Purpose of Interpreting and Other Assisted Communication Services (pp.2-3)

584-1.03 Qualifying Individuals (p.3)

NATURE AND SCOPE OF INTERPRETING & OTHER ASSISTED COMMUNICATION SERVICES

584-1.04 Nature and Scope of Service Provision (pp.3-4)

CONDITIONS AND LIMITATIONS OF SERVICE PROVISION

584-1.05 General Requirements (p.4)

584-1.06 Supporting Service Limitations (pp.5-6)

584-1.07 Amounts Paid or Reimbursed for Interpreting and Other Assisted Communication Services (pp.6-8)

INTERPRETING AND OTHER ASSISTED COMMUNICATION SERVICE PROVISION

585-1.08 Selection and Qualifications of Service Providers (pp.9-10)

584-1.09 Availability of the Service Provider for the Full Duration of Each Assignment (pp.10-11)

584-1.10 Assignments Requiring Multiple Providers (p.11)

584-1.11 Attendance and Punctuality (pp.11-12)

584-1.12 Due Prior Notice of Cancellation (p.12)

PROHIBITED USES

584-1.13 Services Not Actually Rendered (pp.12-13)

584-1.14 Other Limitations (p.13)

MISCELLANEOUS ISSUES

584-1.15 Disposition of CART Transcripts (p.14)

RECORD OF SERVICES DOCUMENTATION REQUIREMENTS

584-1.16 Record of Services Content Requirements (p.14)

584-1.17 Information Technology System Compliance (p.15)

584-1.01 DEFINITIONS

Terms specific to the policies and practices of this chapter are defined as follows.

(1) Approved Community Agency for the Deaf (CAD) means an agency that has not-for-profit status with the state and serves deaf and hard of hearing persons, or is a for-profit corporation that has had a contract as an agency with the Division of Disability and Rehabilitative Services (DDRS) for five years or longer and is approved by Deaf and Hard of Hearing Services (DHHS) and Vocational Rehabilitation Services (VRS).

[REQUIRED PRACTICE. In most cases, sole proprietorships and individuals "doing business as" (DBA) will not qualify as approved agencies. Upon request, an approved agency must be able to demonstrate proof of payment for interpreting services to 10 or more approved interpreters in a given fiscal year.]

(2) Approved interpreter means an individual who holds a valid Indiana Interpreter Certificate (IIC) and is named in the Indiana Interpreter Certificate Directory. The term does not include interpreters holding the Educational Interpreter Certificate.

[REQUIRED PRACTICE. All interpreters must hold a valid IIC in order to interpret for DDRS customers.]

(3) Interpreting hour and service hour mean one hour (60 minutes) of time during which actual interpreting or other assisted communication services are provided for a full hour (60 minutes). The term does not include travel time or down time.

GENERAL REQUIREMENTS

584-1.02 PURPOSE OF INTERPRETING AND OTHER ASSISTED COMMUNICATION SERVICES

For purposes of the Vocational Rehabilitation Program, interpreting and other assisted communication services are personal assistance services and, therefore, are supporting services, also. The purpose of such services is to provide American Sign Language (ASL) interpreting and other assisted communication services that are necessary supports required for an applicant or eligible individual who is deaf or hard of hearing (or has a

physical impairment that seriously limits his or her communication) to access and participate in other vocational rehabilitation services that will contribute substantially to the individual's achievement of the employment outcome specified in his or her Individualized Plan for Employment (IPE).

584-1.03 QUALIFYING INDIVIDUALS

As appropriate to the vocational rehabilitation needs of each individual and in accordance with the provisions of this chapter, interpreting and other assisted communication services can be provided for:

- (1) applicants, to the extent required to effect the individual's participation in other services provided for an assessment for determining eligibility and priority for services (including trial work experiences and an extended evaluation);
- (2) eligible individuals (including eligible individuals receiving services under a post-employment services program), to the extent required to facilitate the individual's participation in an assessment for determining vocational rehabilitation needs or vocational rehabilitation services under an Individualized Plan for Employment (IPE) that are necessary for the achievement of an employment outcome; and
- (3) applicants and eligible individuals who require interpreting and other assisted communication services in order to participate in mediation or an administrative hearing as part of the Vocational Rehabilitation Program appeal process.

NATURE AND SCOPE OF INTERPRETING AND OTHER ASSISTED COMMUNICATION SERVICES

584-1.04 NATURE AND SCOPE OF SERVICE PROVISION

As appropriate to the vocational rehabilitation needs of each individual and in accordance with the provisions of this chapter, interpreting and other assisted communication services include:

- (1) American Sign Language (ASL) interpreting, signed English, cued speech, tactile interpreting for individuals who are deaf-blind, and other signed methods of assisted communication for converting spoken

communication to sign and sign to spoken communication endorsed by the Bureau of Deaf and Hard of Hearing Services (DHHS) of the Division of Disability and Rehabilitative Services (DDRS);

- (2) oral interpreting for non-signing individuals who are deaf; and
- (3) communication access real-time translation (CART) services.

CONDITIONS AND LIMITATIONS OF SERVICE PROVISION

584-1.05 GENERAL REQUIREMENTS

Consistent with the provisions of this chapter, interpreting and other assisted communication services can be paid for or reimbursed by the Vocational Rehabilitation Program only:

- (1) to the extent that the service is a necessary support required for the individual to participate in and derive benefit from one or more primary (non-supporting) Vocational Rehabilitation Program services or benefits concurrently provided;
- (2) (where an individual is an applicant participating in trial work experiences or an extended evaluation or an eligible individual receiving services under an Individualized Plan for Employment) in accordance with the provisions specified by the applicable plan; and
- (3) with the prior knowledge, approval, and authorization of the Vocational Rehabilitation Counselor.

[REQUIRED PRACTICE. Interpreting and other assisted communication services cannot be provided to meet communication needs not directly relevant and necessary to vocational rehabilitation service participation. Individuals with communication needs which are unrelated to Vocational Rehabilitation Program participation must be referred to the appropriate Community Service Agency for the Deaf (CSAD) or other resources. Where a written plan is required, interpreting services must be specified as to be provided by the plan, and must be furnished in accordance with the provisions of the plan. Interpreting costs incurred by an individual without the prior knowledge, approval, and authorization of the Vocational Rehabilitation Counselor will not be paid for or reimbursed by the Vocational Rehabilitation Program.]

584-1.06 SUPPORTING SERVICE LIMITATIONS**(1) RELATIONSHIP TO OTHER, PRIMARY SERVICES**

Because of their limited role as supporting services only, interpreting and other assisted communication services cannot be provided as stand-alone, single services or to support other supporting services. Vocational Rehabilitation Program interpreting and other assisted communication services can be provided only when subordinately linked as a necessary support to one or more specifically identified primary (non-supporting) services also being provided.

[REQUIRED PRACTICE. With respect to paragraph (1) of this section, the employment outcome of an individual is not a vocational rehabilitation service, but is the goal for which services are provided; consequently, interpreting and other assisted communication services cannot be linked to an individual's job and provided as an employment support. Vocational rehabilitation interpreting and other assisted communication services are justifiable as supporting services in connection with job-related services only when they are provided as necessary supports for specific job search, job placement (including initial job orientation), job retention, or on-the-job advancement services during the provision of those services.]

(2) DURATIONAL LIMITATIONS

The duration of all interpreting and other assisted communication assistance is limited to the duration of the primary service or services they support and the continued need for the services as a necessary support for the primary services. Interpreting and other assisted communication services must be discontinued whenever the primary service being supported is interrupted, suspended, completed, or otherwise terminated, or when the interpreting or other assisted communication ceases to be a necessary support specific to the primary service to which it is linked.

(3) PLAN LIMITATIONS

No plan of services, including any trial work experiences or extended evaluation plan or any Individualized Plan for Employment (IPE), can be approved and implemented that identifies interpreting or other assisted communication services, or these and other supporting services, as the only service or services to be provided.

(4) RECORD OF SERVICES CLOSURE

Once the requirements for closing an individual's record of services have been appropriately met and the primary services provided for under the individual's IPE have been completed, the record cannot be kept open or services continued for the purpose of providing interpreting or other assisted communication services alone.

(5) POST-EMPLOYMENT SERVICES LIMITATIONS

(A) Post-employment services cannot be furnished to provide interpreting or other assisted communication assistance or these and other supporting services only. If interpreting or other assisted communication services are provided in conjunction with other post-employment services, the need for the interpreting or other assisted communication services provided and their supportive role relative to substantial post-employment primary services also provided must be clearly identified.

(B) Vocational Rehabilitation Program interpreting and other assisted communication services are subject to the same requirements and limitations when provided as post-employment services as otherwise apply at any other time.

584-1.07 AMOUNTS PAID OR REIMBURSED**(1) ASL AND OTHER INTERPRETING SERVICE PROVIDERS UNDER CONTRACT WITH DHHS**

Interpreters are paid an hourly rate determined in accordance with their levels of certification, as described by the following schedule.

DDRS INTERPRETING PAYMENT SCHEDULE	
CERTIFICATION LEVEL	HOURLY RATE
Provisional IIC	\$25.00 per interpreting hour
Grandfathered IIC	\$25.00 per interpreting hour
Nationally certified with NAD IV or with RID CI, CT, or IC/TC or any other single RID certificate not defined	\$35.00 per interpreting hour
Nationally certified with NAD V or RID CI/CT or CSC, certified for less than 15 years	\$40.00 per interpreting hour
Nationally certified with NAD V or RID CI/CT or CSC, certified for 15 or more years	\$45.00 per interpreting hour

In addition to the fees payable to interpreting service providers, an administrative fee can be paid to scheduling and coordinating agencies under contract with DDRS for scheduling and coordination services provided and billed to the Vocational Rehabilitation Program. Administrative fees are \$15.00/interpreting hour.

(2) ASL AND OTHER INTERPRETING SERVICE PROVIDERS NOT UNDER CONTRACT WITH DDRS

Interpreters who are not operating under a contract with DDRS will be required to work under an agency that has contracted with DDRS until the individual is able to execute his or her own contract with DDRS.

(3) CART SERVICES PROVIDERS

Communication access real-time translation (CART) services providers are paid an hourly rate commensurate with their levels of certification, as indicated by the following DDRS payment schedule.

CART SERVICE PROVIDER PAYMENT SCHEDULE	
CERTIFICATION LEVEL	HOURLY RATE
Court reporting school certificate or 180 wpm literary, 225 wpm Q&A	\$45.00 per hour
NCRA CRR (Certified Real-time Reporter) or CCP (Certified CART Provider)	\$75.00 per hour

(4) COMPENSABLE INTERPRETING AND CART SERVICES

Amounts payable by the Vocational Rehabilitation Program for interpreting and CART services include the following.

(A) Hourly Rate and Two-Hour Minimum

(1) DDRS will pay for or reimburse the applicable hourly rate described in the schedules included in paragraph (1) or paragraph (3) of this section, as applicable, for the time during which interpreting or CART services are actually provided.

(2) DDRS will pay a two-hour minimum for interpreting (but interpreting services only). If the interpreter also qualifies for the payment of travel time, the two-hour minimum, if claimed, must be deducted from any travel time claimed to and from the assignment.

The two-hour minimum will only be paid once per day. If an interpreter has a single assignment with multiple clients, multiple assignments with a single client, or multiple assignments with multiple clients for the state in the same day, no more than one-two-hour minimum can be claimed for that day. All other time must be billed for the actual time during which interpreting or other assisted communication services are provided.

(B) Travel Time

DDRS will pay for travel time for interpreting and CART services, at the rate for which the interpreter or CART provider qualifies in accordance with the rate schedule in paragraph (1) of this section, to and from the assignment if the assignment is more than 50 miles (one way) from the interpreter's place of residence. Travel time for no more than one round trip to and from the interpreter's home will be paid per day.

[REQUIRED PRACTICE. No administrative fee can be charged by coordinating and scheduling agencies for the time in which an interpreter is in travel status.]

(C) Mileage

DDRS will pay for mileage to and from the assignment at the current state travel rate if the assignment is more than 20 miles (one way) from the interpreter's or CART provider's place of residence.

(D) OTHER PROVISIONS

The contract system will also define the rate of payment for travel time, the two-hour minimum, and other factors, to be determined in accordance with a schedule to be defined jointly by DHHS and VRS in partnership.

***INTERPRETING AND OTHER ASSISTED COMMUNICATION
SERVICE PROVISION***

584-1.08 SELECTION AND QUALIFICATIONS OF SERVICE PROVIDERS

Interpreters selected to provide interpreting and other assisted communication services for Vocational Rehabilitation Program applicants and participants must be selected in accordance with the informed choice of the individuals served, subject to availability and the following requirements.

(1) INDIANA INTERPRETER CERTIFICATE (IIC) REQUIREMENT FOR ALL SIGN LANGUAGE INTERPRETERS

Except as permitted under paragraphs (2) and (3) of this section, all providers utilized as ASL, signed English, cued speech, tactile, oral interpreting or other signed assisted communication providers for Vocational Rehabilitation Program applicants and participants must hold an Indiana Interpreter Certificate (IIC) from the Bureau of Deaf and Hard of Hearing Services (DHHS) of the Division of Disability and Rehabilitative Services (DDRS). IIC certification is required, irrespective of whether the interpreter is a freelance interpreter or is working through a scheduling and coordinating agency or whether the interpreting assignment is for a single event (as, for example, a one-day seminar) or an extended period (such as a full term or semester in a training setting).

[REQUIRED PRACTICE. If a scheduling agency hires both IIC certified interpreters and non-IIC certified interpreters, the scheduling agency must assure that only certified interpreters are assigned to Vocational Rehabilitation Program participants for any signed interpreting services for which program funding will be requested.]

(2) USE OF VOCATIONAL REHABILITATION PROGRAM STAFF FOR ASL OR OTHER ASSISTED COMMUNICATION SERVICES

(A) ASL interpreting or other appropriate assisted communication services must be provided when required as a necessary support for all vocational rehabilitation services, including consultations and vocational rehabilitation counseling and guidance between the individual and the Vocational Rehabilitation Counselor. A Rehabilitation Counselor for the

Deaf (RCD), or another individual with appropriate skills employed by the Vocational Rehabilitation Program, may provide interpreting or other assisted communication services for any or all such consultations and counseling and guidance, to the extent that:

(1) the RCD or other employee is available to provide the needed service; and

(2) the individual, the Vocational Rehabilitation Counselor, and the employee providing the service are all satisfied that the skill level of the employee is sufficient to meet the communication needs of the individual.

(B) In all other circumstances, or whenever the individual so requests, an interpreter or other assisted communication services provider will be secured who meets the qualifications of paragraph (1) of this section.

(3) USE OF FAMILY MEMBERS AND SIGNIFICANT OTHERS AS INTERPRETING OR OTHER ASSISTED COMMUNICATION PROVIDERS

The use of family members of the individual and significant others as paid interpreting or other assisted communication services providers (including ASL interpreters or CART service providers) is prohibited.

[REQUIRED PRACTICE. A family member or significant other may be utilized, in accordance with the informed choice of the individual, to facilitate communication only in those situations where the individual's communication skills are limited to uniquely individualized signs and gestures, or other forms of communication intelligible only to the individual and family members or others familiar with his or her method of communicating. In such situations, however, the family member or significant other is merely facilitating communication and is not interpreting or transcribing, and the Vocational Rehabilitation Program will not compensate the family member or significant other for the services provided.]

584-1.09 AVAILABILITY OF THE SERVICE PROVIDER FOR THE FULL DURATION OF EACH ASSIGNMENT

The provider selected for each interpreting or CART assignment must be available to the Vocational Rehabilitation Program participant for the full

duration of the time for which interpreting is authorized and billed. Providers are not permitted to:

- (1) schedule multiple assignments for overlapping periods of time or;
- (2) claim multiple payments for any portion of the time scheduled for an assignment.

584-1.10 ASSIGNMENTS REQUIRING MULTIPLE PROVIDERS

The use of multiple service providers (team interpreting using more than one agency or interpreter for the same assignment) requires the prior approval of the Vocational Rehabilitation Counselor.

[REQUIRED PRACTICE. Service providers are expected to discuss situations with the Vocational Rehabilitation Counselor which, in their judgment, require more than one interpreter for the same assignment ("team interpreting") or more than one CART provider, and to obtain the prior approval of the Counselor for all such assignments. Factors considered for all such approvals will include the duration of the assignment and the nature and scope of the material to be communicated.]

584-1.11 ATTENDANCE AND PUNCTUALITY OF THE SERVICE PROVIDER

In the normal course of the counseling and guidance relationship, the Vocational Rehabilitation Counselor will inform the individual of the need to report problems encountered with any service provider, including tardiness and no-shows of the provider.

(1) Reported tardiness of the service provider will be deducted from the time paid for by the Vocational Rehabilitation Program for the assignment (including from a two-hour minimum per 584-1.07(4)(A)(2) of this chapter) to the next nearest one-quarter hour (15-minute) increment.

(2) Authorizations for assignments for which a service provider has failed to appear entirely (i.e., for assignments for which the service provider is a "no-show") will be canceled, and will not be vouchered for payment.

(3) Three or more incidents of tardiness or more than one failure to appear by the same provider will be deemed grounds for canceling long-

term (e.g., semester or term) interpreting assignments and securing a different interpreter for the remainder of the assignment.

[REQUIRED PRACTICE. As an example, should a provider arrive ten minutes late for an assignment, 15 minutes would be deducted from the interpreting time paid, in accordance with the requirements of this paragraph. If the assignment is less than two hours in duration (and so qualifies for the two-hour minimum), the deduction would be made from the two-hour minimum, and only one and three-quarter hours would be paid.]

584-1.12 DUE PRIOR NOTICE OF CANCELLATION

The Vocational Rehabilitation Program will not pay or reimburse for any short-term assignment for which due prior notice of cancellation has been given 48 hours before the assignment. Long-term (semester-long college) interpreting assignments canceled by the client withdrawing from the program, will be paid for 1 week of service or until a new interpreting assignment can be found by the interpreter or agency, whichever is less. Individual class times canceled by the teacher, student, school, or VR with more than 48 hours advanced notice will not be paid.

[REQUIRED PRACTICE. It is the responsibility of the individual to provide as much prior notice as possible prior to withdrawals from courses or any days on which the student plans not to attend a scheduled class. The Vocational Rehabilitation Counselor must assure that the service provider is immediately informed in all such circumstances.]

PROHIBITED USES

584-1.13 SERVICES NOT ACTUALLY RENDERED

Vocational Rehabilitation Program funds will not be authorized or paid:

(1) in the case of long-term interpreting assignments associated with training provided at postsecondary training institutions, for—

(A) national holidays or school breaks clearly identified in advance by published training institution or program schedules, during which classes are not in session;

(B) (if the service provider has been provided with sufficient due prior notice of cancellation in accordance with section 584-1.12 of this chapter) an interpreting assignment lost due to—

(1) the permanent cancellation or rescheduling of courses by a training institution or program, or

(2) the withdrawal of a student from a training program or an individual program course; or

[REQUIRED PRACTICE. The payment for canceled assignments as a "cancellation fee" consideration for a lost long-term interpreting assignment is disallowed, except for any scheduled assignments falling within the due notice of cancellation period described in section 584-1.12 of this chapter.]

(C) time between classes or other assignments during which no services are actually rendered.

584-1.14 OTHER LIMITATIONS

(1) MILEAGE LIMITATIONS

In training settings, if services are provided for more than one class for the same individual or for more than one individual at the same location during the course of the same day, the costs of travel to and from the interpreting location will not include more than one round trip plus mileage between or among the assignment locations.

(2) PARKING FEES AND PASSES

The Vocational Rehabilitation Program will not pay for or reimburse the parking fees or costs of parking passes for service providers.

(3) PAYMENT OF BENEFITS

The Vocational Rehabilitation Program will not pay for or reimburse any employee benefits (such as paid holidays, paid vacations, unemployment insurance, worker's compensation, or other employment benefits) for service providers.

MISCELLANEOUS ISSUES

584-1.15 DISPOSITION OF CART TRANSCRIPTS

Communication access real-time translation (CART) services transcripts authorized and paid for by the Vocational Rehabilitation Program are purchased for the Vocational Rehabilitation Program participant, and cannot be provided to other students. Copies of the transcribed materials may be provided to course instructors at the discretion of the service provider.

RECORD OF SERVICES DOCUMENTATION REQUIREMENTS

584-1.16 RECORD OF SERVICES CONTENT REQUIREMENTS

(1) When Vocational Rehabilitation Program interpreting or other assisted communication services are provided, the Individualized Plan for Employment (IPE) and other components of the record of services for the individual must:

(A) identify the specific primary service or services to which the interpreting or other assisted communication services have been subordinately linked as a necessary support; and

(B) demonstrate that the decision to provide the interpreting or other assisted communication service is in accordance with all applicable provisions of this chapter.

(2) The interpreting or other assisted communication services expenses of an individual can be paid for or reimbursed only on the basis of the specific costs incurred, as evidenced by an itemized written claim, signed by the claimant, that includes, as applicable, supporting billings, paid receipts, or other substantiating documentation for each expense for which payment or reimbursement is requested. The Vocational Rehabilitation Counselor cannot authorize payments for unspecified expenses not explicitly documented. All fiscal documentation pertaining to the services provided, including all authorizations and claim-vouchers, together with all claims and supporting billings or paid receipts required to process payment, must be in evidence in the individual's record of services.

584-1.17 INFORMATION TECHNOLOGY SYSTEM COMPLIANCE

All required information, data, and documents must be incorporated and maintained in the record of services for the individual in a manner consistent with Indiana Rehabilitation Information System (IRIS) requirements.

[AUTHORITY. Federal regulations §§34 CFR 361.5(b)(39); 361.13(c); 361.45; 361.46; 361.47; 361.48(j); 361.50; 361.51; 361.52; 361.53; and 361.54.]

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